

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**In re:** :  
Jeffrey M. Garber, : Case No.: 23-00249  
: Chapter 13  
: Judge Henry W. Van Eck  
**Debtor.** : \*  
: :  
: :  
: :  
: :  
: Related Document No. 78

**OBJECTION OF NATIONSTAR MORTGAGE LLC TO THE  
CONFIRMATION OF THE AMENDED PLAN (DOCKET NUMBER 78)**

Nationstar Mortgage LLC (“Creditor”), by and through its undersigned counsel, objects to the confirmation of the currently proposed amended plan (“Plan”), filed by Jeffrey M. Garber (“Debtor”), as follows:

1. Creditor holds a security interest secured by a mortgage lien on Debtor’s property commonly known as 616 Moul Ave, Hanover, PA 17331-1545 (“Property”).
2. Creditor filed a Proof of Claim Number 6 in the amount of \$118,268.73. This amount includes a pre-petition arrearage in the amount of \$32,468.26.
3. Relief from stay was granted to Creditor by Order entered October 23, 2023, at Docket Number 76.
4. Debtor’s Plan lists Creditor’s Claim in Section 2(B), providing for post-petition payments to be made directly, and in Section 2(C), providing for a sale of the Property to address the pre-petition arrears. To the extent that Debtor’s Plan is an attempt to oppose the relief from stay provided to Creditor, Creditor objects to confirmation of the Plan so as not to delay Creditor’s efforts, if any, to exercise its

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contractual and state law rights as to the Property including pursuing foreclosure of the subject mortgage secured by the Property.

5. Additionally, Creditor objects to the Plan to the extent that it attempts to modify Creditor's claim in providing only for payment in full of Creditor's Claim rather than providing for payment in full of Creditor's lien in the event that any sale of the Property takes place.
6. Debtor's Plan represents an impermissible modification of Creditor's claim and a violation of 11 U.S.C. §§1322 and 1325.

WHEREFORE, Creditor respectfully requests that the Court deny the confirmation of the Debtor's currently proposed Plan.

Respectfully submitted,

/s/Alyk L. Oflazian  
Alyk L. Oflazian, Esquire (312912)  
Adam B. Hall (323867)  
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The case attorney for this file is Alyk L. Oflazian.  
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## **CERTIFICATE OF SERVICE**

I certify that on the date of filing, a copy of the foregoing Objection of Nationstar Mortgage LLC to the Confirmation of the Amended Plan was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Jack N Zaharopoulos, Chapter 13 Trustee, info@pAMD13trustee.com

Paul Donald Murphy-Ahles, Attorney for Jeffrey M. Garber, pmurphy@dplglaw.com

I certify that on the date of filing, a copy of the foregoing document was sent by U.S.

Mail to the following:

Jeffrey M. Garber, 56 Thomas Drive, Mc Sherrystown, PA 17344

/s/Alyk L. Oflazian

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